



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Raymond G. Goodwin and Wanwan S. Din

Docket No.: 2519

Group Art Unit: 1647

Serial No: 09/302,863

Examiner: D. Romeo

Filed: April 30, 1999

CPA Filed: September 25, 2002

For: METHODS OF USE OF THE TACI/TACI-L INTERACTION

AMENDMENT AND REPLY

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TECH CENTER 1600/2900

In response to the final Office Action having a mailing date of January 2, 2003, Applicants respectfully submit the following Amendment and Reply and request reconsideration and allowance of the claims. This Amendment and Reply is being filed concurrently with a Petition for a three-month extension of time and a Notice of Appeal, as well as the requisite fees.

The Examiner has issued a final rejection on a first Office Action for Applicants' CPA. This is not permissible, as noted in the MPEP at §706.07(b):

However, it would not be proper to make final a first Office Action in a continuing or substitute application where that application contains material which was presented in the earlier application after final rejection or closing of prosecution but was denied entry because (A) new issues were raised that required further consideration and/or search, or (B) the issue of new matter was raised.

The present application is a CPA based on an application in which Applicants requested amendments be entered, but were denied entry because they raised new issues requiring further consideration and issues of new matter (see Advisory Action). Applicants have consistently made a *bona vide* effort to amend the specification and claims to accommodate the Examiner's concerns and to facilitate prosecution. Applicants respectfully request reconsideration of the pending claims.